

Claim 1 has been accordingly amended to recite that the content of silicon in a polyoxyalkylene-modified silicone is 20 to 70 weight percent. Support for the amendment can be found in the specification at page 4, line 3 from the bottom.

The specification at page 4, line 3 from the bottom to the last line of page 4 has also been amended to reflect that the content of silicon in the polyoxyalkylene-modified silicone is 20 to 70 weight percent. The amendment is intended to clarify a typographical error in the specification, which inadvertently referred to a **ratio** of silicon in the polyoxyalkylene-modified silicone rather than the **content** of silicon in the polyoxyalkylene-modified silicone.

No new matter within the meaning § 132 has been added by any of the amendments.

Accordingly, Applicants respectfully request the Examiner to enter the amendments and reconsider and allow all claims pending in this application.

1. Rejection of Claims 1-2 and 4-5
under 35 U.S.C. § 112, ¶ 1

The Office Action rejects claims 1-2 and 4-5 under 35 U.S.C. § 112, ¶ 1 because the specification, while being enabling for

compositions and fibers wherein the ratio of polyoxyalkylene-modified silicone is controlled to be from 20 to 70%, does not reasonably provide enablement for the use of any polyalkylene-modified silicone. The Office Action states:

The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims. The specification states in the paragraph bridging pages 4 and 5, "...a ratio more than 70 weight percent will produce unstable product and require higher production cost and a ratio of less than 20 weight percent cannot attain hydrophilicity of fiber and top sheet." Accordingly, the above range of silicone content in component © must be stated in the independent claim. Applicant will note that in Table 2 on page 9 comparative example 2, the percentages of all of the components are within the range claimed in instant claim 1, yet it does not attain the improved qualities as the compositions in Table 1, the invention. In that example, the ratio of silicone is 15%, which is not within the critical range disclosed on page 4.

Applicants respectfully traverse the rejection. However, in the interest of advancing prosecution, Applicants have added the limitation of the content of silicon within the polyoxylalkylene-modified silicone in accordance with the Examiner's suggestion.

Accordingly, Applicants respectfully submit that claims 1-2 and 4-5 are in condition for allowance and request reconsideration and withdrawal of the rejection.

2. Rejection of Claims 2 and 4
under 35 U.S.C. § 112, ¶ 2

The Office Action rejects claims 2 and 4 under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action states:

The term "and its products" is indefinite as its metes and bounds cannot be determined. Additionally, since the composition of claim 1 imparts the liquid permeability to the fiber of claim 2, it is suggested that "is applied" be changed to "has been applied" on line two of claim 2.

Applicants have deleted the phrase "and its products" from claim 2. Applicants have also further replaced the phrase "is applied" with "has been applied" from claim 2 as suggested by the Examiner.

Regarding claim 4, Applicants note that claim 4 does not contain either phrase "and its products" or "is applied" nor is claim 4 dependent from claim 2. Therefore, Applicants presume the reference to claim 4 may have been a typographical error and no amendment is made thereto.

Accordingly, Applicants respectfully submit that claims 2 and 4 are in condition for allowance and request reconsideration and withdrawal of the rejection.


CONCLUSION

In light of the foregoing, Applicants submit that the application is now in condition for allowance. The Examiner is therefore respectfully requested to reconsider and withdraw the rejection of the pending claims and allow the pending claims. Favorable action with an early allowance of the claims pending is earnestly solicited.

Respectfully submitted,

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